



**CITY COMMISSION MEETING
 AGENDA FOR APRIL 26, 2022
 5:00 PM
 CITY HALL COMMISSION CHAMBERS
 300 SOUTH FIFTH STREET**

*Any member of the public who wishes to make comments to the Board of Commissioners is asked to fill out a Public Comment Sheet and place it in the box located at the end of the Commissioner's desk on the left side of the Commission Chambers. The Mayor will call on you to speak during the **Public Comments** section of the Agenda.*

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

ADDITIONS/DELETIONS

NEW EMPLOYEE INTRODUCTIONS Downtown Development Specialist Angela Schade - Planning

PROCLAMATION National Tennis Month - Jane Gamble

PRESENTATION Community Scholarship Program Update - Lee Emmons, West Kentucky Community & Technical College

MAYOR'S REMARKS

Items on the Consent Agenda are considered to be routine by the Board of Commissioners and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Board member so requests, in which event the item will be removed from the Consent Agenda and considered separately. The City Clerk will read the items recommended for approval.

	I.	<u>CONSENT AGENDA</u>	
	A.	Approve Minutes for April 12, 2022	
	B.	Receive & File Documents	
	C.	Personnel Actions	
	D.	Contract For Services with Paducah Junior College, Inc. in an amount of \$75,000 for the Community Scholarship Program - D JORDAN	
	E.	Purchase of Solid Waste Dumpsters for the FY2021-2022 from Wastequip Utilizing the HGACBuy Purchasing Group in a Not-to-Exceed amount of \$130,000 - C YARBER	
	II.	<u>MUNICIPAL ORDERS</u>	

		A.	Approve Annexation Incentives for 5250 & 5266 US Highway 60 West - J SOMMER
	III.	<u>ORDINANCE(S) - ADOPTION</u>	
		A.	Approve Contract Modification to Professional Services Contract with BFW Engineering & Testing for the S. 24th Street-S 25th Street Improvement Project in the amount of \$48,241.00 - R MURPHY
		B.	Approve of Construction Contract for Buckner Lane Bridge Replacement Project with Jim Smith Contracting, LLC in the amount of \$1,985,514.37 - R MURPHY
		C.	Approve Contract Modification #1 of Flapgate Construction Contract with Jim Smith Contracting, LLC in the amount of (\$463,400.00) - R MURPHY
		D.	Approve Consensual Annexation of 5250 & 5266 US Highway 60 West - J SOMMER
		E.	FY2022 Budget Amendment in the amount of \$3 Million to allocate funding and authorize payment for the Airport Terminal Project from the 2020A GOB Bond Proceeds - D JORDAN
		F.	FY2022 Budget Amendment in the amount of \$600,000 from Investment Fund Fund Balance Reserve to be used for City Facilities Improvements (PF0079) - D JORDAN
	IV.	<u>DISCUSSION</u>	
		A.	Police Department Update - B LAIRD
	V.	<u>COMMENTS</u>	
		A.	Comments from the City Manager
		B.	Comments from the Board of Commissioners
		C.	Comments from the Audience
	VI.	<u>EXECUTIVE SESSION</u>	

Agenda Action Form Paducah City Commission

Meeting Date: April 26, 2022

Short Title: Contract For Services with Paducah Junior College, Inc. in an amount of \$75,000 for the Community Scholarship Program - **D JORDAN**

Category: Municipal Order

Staff Work By: Claudia Meeks

Presentation By: Daron Jordan

Background Information:

As part of the Investment Fund Decision Items for FY2022, the Commission approved appropriation of funding for the Paducah Junior College, Inc., scholarship program in the amount of \$75,000, to be paid by June 30, 2022.

When the City provides funds to any organization, we prepare a simple Contract For Services agreement that describes the public services the organization will provide as a result of receiving the city funds.

Does this Agenda Action Item align with a Commission Priority? No

If yes, please list the Commission Priority:

Communications Plan:

Funds Available: Account Name: Investment Fund

Account Number: 24000401-580790

Staff Recommendation:

Authorize the Mayor to enter into a one-time Contract For Services with Paducah Junior College, Inc. in the amount of \$75,000.

Attachments:

1. Contract - Community Scholarship FY2022
2. MO - contract - Paducah Junior College FY22 (community scholarship)

Agenda Action Form Paducah City Commission

Meeting Date: April 26, 2022

Short Title: Purchase of Solid Waste Dumpsters for the FY2021-2022 from Wastequip Utilizing the HGACBuy Purchasing Group in a Not-to-Exceed amount of \$130,000 - **C YARBER**

Category: Municipal Order

Staff Work By: Latrisha Pryor

Presentation By: Chris Yarber

Background Information: Utilizing the HGACBuy Purchasing Group vendor number 04 0621-WQ1, Public Works Solid Waste Division is to purchase solid waste dumpsters from Wastequip. Every year, an amount is allocated toward dumpster purchases in the annual commercial refuse replacement budget. Therefore, we are requesting authorization to order the required dumpsters along with additional replacement parts and lids during the 2021-2022 Fiscal Year in an amount not to exceed the budgeted amount of \$130,000.00.

Does this Agenda Action Item align with a Commission Priority? No

If yes, please list the Commission Priority:

Communications Plan:

Funds Available: Account Name: Solid Waste Fund - Equipment Other

Account Number: 50002210-542190

Staff Recommendation: To have a Municipal Order authorizing the purchase of solid waste dumpsters for the FY2021-2022 from Wastequip utilizing the HGACBuy Purchasing Group vendor number 04 0621-WQ1 in an amount not to exceed \$130,000.00

Attachments:

1. dumpsters 4-2022

Agenda Action Form

Paducah City Commission

Meeting Date: April 26, 2022

Short Title: Approve Annexation Incentives for 5250 & 5266 US Highway 60 West - **J SOMMER**

Category: Ordinance

Staff Work By: Nicholas Hutchison, Josh Sommer

Presentation By: Josh Sommer

Background Information: The intent of this ordinance is to adopt the City of Paducah Real Estate property tax reimbursement and sanitation pick up incentives for these two properties. The property owner has signed the Memorandum of Agreement, included in your packets.

Does this Agenda Action Item align with a Commission Priority? Yes

If yes, please list the Commission Priority: Community Growth

Communications Plan:

Funds Available: Account Name:
Account Number:

Staff Recommendation: Staff recommends approval

Attachments:

1. MO incentives – US Highway 60 West
2. MOA West Paducah 04.05.22

Agenda Action Form

Paducah City Commission

Meeting Date: April 26, 2022

Short Title: Approve Contract Modification to Professional Services Contract with BFW Engineering & Testing for the S. 24th Street-S 25th Street Improvement Project in the amount of \$48,241.00 - **R MURPHY**

Category: Ordinance

Staff Work By: Melanie Townsend

Presentation By: Rick Murphy

Background Information: Background Information:

Summary: Expansion of scope of professional services to include waterline design, utility company coordination, and construction inspection. BFW Engineering & Testing has proposed the following schedule of additional fees:

	24th St	25th St	
Water Line Design	\$ 4,500	\$ 5,000	
Utility Coordination	\$ 4,100	\$ 4,100	
Construction Inspection	<u>\$ 15,081</u>	<u>\$ 15,460</u>	
TOTAL NTE Fee Increase	\$ 23,681	\$ 24,560	\$ 48,241

Background: On November 24, 2020 , Ordinance 2020-11-8661 was approved by the Paducah Board of Commissioners authorizing a professional services contract with BFW Engineering & Testing in the amount of \$159,775.00.

On March 11, 2021, the American Rescue Plan Act funding was signed into law. The City of Paducah was notified of \$6,439,016.00 of available funding. On July 13, 2021, Municipal Order 2481 was authorized by the Paducah Board of Commissioners to appropriate \$4M of ARPA funding toward specific stormwater mitigation projects.

On September 28, 2021, Ordinance 2021-09-8704, in the amount of \$106,500.00 for additional scope of design to provide additional professional services. This additional scope includes fees of \$58,500.00 for BFW Engineering and \$48,000.00 additional for Strand & Associates as a subcontractor to BFW Engineering.

BFW Engineering has submitted a Not To Exceed fee proposal modification in the amount of \$48,241.00 for additional professional services.

Does this Agenda Action Item align with a Commission Priority? Yes

If yes, please list the Commission Priority: Stormwater Mitigation

Communications Plan: Coordinate with affected property owners for right-of-way and easements

Work with Communications Manager for press releases, social media posts, and other

communications

Coordinate with contractor during road closures

Funds Available: Account Name: S 25th Improvement Project

Account Number: ST0040

Staff Recommendation: Authorize and direct the Mayor to accept and execute Contract Modification #2 and any associated documents. Authorization increases BFW's contract by \$48,241.00. The approval of the contract amendment will increase the total contract amount from \$266,275.00 to a Not To Exceed fee of \$314,516.00.

Attachments:

1. ORD - Contract Mod #2- BFW Engineering – 24th Street – S 25th Street Improvement
2. 24th 25th St. Contract Modification #2

Agenda Action Form

Paducah City Commission

Meeting Date: April 26, 2022

Short Title: Approve of Construction Contract for Buckner Lane Bridge Replacement Project with Jim Smith Contracting, LLC in the amount of \$1,985,514.37 - **R MURPHY**

Category: Ordinance

Staff Work By: Melanie Townsend

Presentation By: Rick Murphy

Background Information: Summary: Approving construction contract with Jim Smith Contracting, LLC for the construction of a replacement structure for the Buckner Lane bridge over Crooked Creek and the installation of a new culvert under Oakcrest Drive, as well as, associated asphalt roadway widening and utility relocations. The project limits are between Hansen Road and Pecan Drive.

Background: On April 26, 2018, a major disaster declaration, FEMA-4361-DR-KY, was signed by the President for the 2018 Flooding and Severe Weather Events occurring from February 21, 2018 through March 21, 2018. As a result, the City of Paducah applied for and received Disaster Relief Funding for the restoration of the Buckner Lane Bridge under Event 4361DR-KY. The Federal Emergency Management Agency (FEMA) has estimated \$438,774.00 total bridge rehab cost with 75% Federal Share and 25% Non-Federal Share. FEMA has obligated \$329,081.00 in Federal funds for the Buckner Lane Bridge Replacement Project. The Non-Federal Share of \$109,693.00 is split between State (\$52,652.00) and Local (\$57,041.00) cost shares.

On March 11, 2021, the American Rescue Plan Act funding was signed into law. The City of Paducah was notified of \$6,439,016.00 of available funding. On July 13, 2021, Municipal Order 2481 was authorized by the Paducah Board of Commissioners to appropriate \$4M of ARPA funding toward specific stormwater mitigation projects. On September 28, 2021, Ordinance 2021-09-8703 was approved to increase the scope to include additional stormwater mitigation using ARPA funding.

On March 23, 2022, the Engineering Department opened sealed bids for the Buckner Lane Bridge Replacement Project. BFW Engineering & Testing performed bid evaluation and recommended Jim Smith Contracting, LLC as submitting the lowest responsive bid at \$1,985,514.37. Two (2) bids were received as follows:

(1) Harold Coffey Construction: \$2,194,900.93

(2) Jim Smith Contracting: \$1,985,514.37

Currently, the project has existing funding to be used for engineering administration, construction oversight, and a portion for construction. In order to fully fund the project, the Finance Director is authorized to transfer \$1.7M from the ARPA Project Fund into the Buckner Lane Bridge Replacement Project Account (PF0078).

Does this Agenda Action Item align with a Commission Priority? Yes

If yes, please list the Commission Priority: Stormwater mitigation

Communications Plan: Coordinate with Communication Manager for press releases and social media posts.

In person communication with affected property owners before, during and after the project.

Funds Available: Account Name: Buckner Lane Bridge Project

Account Number: PF0078

Staff Recommendation: To receive and file the bids and adopt an ordinance authorizing the Mayor to execute a contract with Jim Smith Contracting, LLC in the amount of \$1,985,514.37 for the Buckner Lane Bridge Replacement Project. Additionally, to authorize the Finance Director to transfer \$1.7M from the ARPA Project Fund into the Buckner Lane Bridge Replacement Project Account (PF0078).

Attachments:

1. ORD - agree- Jim Smith Contracting Buckner Lane Bridge Project - 2022

Agenda Action Form

Paducah City Commission

Meeting Date: April 26, 2022

Short Title: Approve Contract Modification #1 of Flapgate Construction Contract with Jim Smith Contracting, LLC in the amount of (\$463,400.00) - **R MURPHY**

Category: Ordinance

Staff Work By: Melanie Townsend, Rick Murphy
Presentation By: Rick Murphy

Background Information: Summary: Contract Modification #1 to Flapgate Construction Contract with Jim Smith Contracting, LLC in the amount of (\$463,400.00) due to a change in vendor supplying the materials required for this project, we are able to significantly reduce the total contract cost resulting in a final contract amount of \$1,688,600.00.

Background: On July 27, 2021, Ordinance 2021-07-8696 was approved by the Paducah Board of Commissioners to award a construction contract to Jim Smith Contracting, LLC in the amount of \$2,152,000.00 for the Floodwall Flapgate Replacement Project.

Due to supply chain issues, vendor non-responsiveness, and excessive cost of materials and items to fulfill the Buy American Act, the City issued a waiver of the Buy American Act to Jim Smith Contracting, LLC. The City consulted with the U.S. Army Corps of Engineers to verify authority to issue the waiver.

The Floodwall Flapgate Replacement Project is part of the larger US Army Corps of Engineers' Paducah Local Flood Protection Project (LFPP) System rehabilitation project. This approximately \$36M project involves the rehabilitation of all pump stations, discharge pipes, flapgates and other structures associated with the Paducah Local Flood Protection Project (LFPP) System.

The federal government is a 65% partner with the City contributing 35% to the total project. The Floodwall Flapgate Replacement Project is part of the City's in-kind match and counts toward the City's 35% project portion.

Does this Agenda Action Item align with a Commission Priority? No

If yes, please list the Commission Priority: Stormwater mitigation

Communications Plan: Coordinate with Communication Manager for public announcements and social media posts.

Funds Available: Account Name: Flapgates

Account Number: FW0010

Staff Recommendation: Authorize and direct the Mayor to sign Contract Modification #1 with Jim Smith Contracting, LLC for the construction contract on Floodwall Flapgate Replacement Project in the amount of (\$463,400.00) with a final contract amount of \$1,688,600.00

Attachments:

1. ORD Contract Amend No. 1 – Jim Smith Contracting Flapgate Replacement Project
2. Paducah Flap Gate Revised Price Proposal

Agenda Action Form

Paducah City Commission

Meeting Date: April 26, 2022

Short Title: Approve Consensual Annexation of 5250 & 5266 US Highway 60 West - **J SOMMER**

Category: Ordinance

Staff Work By: Nicholas Hutchison, Josh Sommer

Presentation By: Josh Sommer

Background Information: The Overland Group has requested consensual annexation into the City of Paducah for the above-referenced addresses. These properties are the Sonic Drive-In, Taco John's and a portion of US 60 ROW. They intend to take advantage of the City of Paducah Real Estate Property Tax reimbursement and the Sanitation Pick-up incentives.

Does this Agenda Action Item align with a Commission Priority? Yes

If yes, please list the Commission Priority: It aligns with the Community Growth Priority

Communications Plan:

Funds Available: Account Name:
Account Number:

Staff Recommendation: Approval of the consensual annexation

Attachments:

1. ORD Annex - Consensual 5250 and 5266 U.S. Highway 60 West
2. REVISED LEGAL DESCRIPTION
3. REVISED TACO JOHN ANNEXATION
4. Signed Annexation request

Agenda Action Form

Paducah City Commission

Meeting Date: April 26, 2022

Short Title: FY2022 Budget Amendment in the amount of \$3 Million to allocate funding and authorize payment for the Airport Terminal Project from the 2020A GOB Bond Proceeds - **D JORDAN**

Category: Ordinance

Staff Work By: Lindsay Parish, Jonathan Perkins, Daron Jordan
Presentation By: Daron Jordan

Background Information: The Board of Commissioners approved Ordinance No. 2021-08-8701 which authorized an Interlocal Agreement with McCracken County and the Barkley Regional Airport to make a local share payment in an anticipated amount of \$2.9 million (but not exceeding \$3 million) for the Barkley Regional Airport Terminal Project. This ordinance authorizes a budget amendment to move funding from the 2020A GOB Bond Proceeds into the Capital Improvement Project Fund (Airport Terminal Project) and authorizes the Finance Director to make said payment to the Barkley Regional Airport in accordance with said Interlocal Agreement from the Airport Terminal Project account upon receipt of required documentation from the Barkley Regional Airport.

Does this Agenda Action Item align with a Commission Priority? Yes

If yes, please list the Commission Priority: 2021 Priority - Airport

Communications Plan:

Funds Available: Account Name: Capital Improvement Projects - Airport Terminal

Account Number: ED0XXX

Staff Recommendation: Approval.

Attachments:

1. ORD budget amend 2021-22 - April 2022 – Barkley Regional Airport Terminal

Agenda Action Form

Paducah City Commission

Meeting Date: April 26, 2022

Short Title: FY2022 Budget Amendment in the amount of \$600,000 from Investment Fund Fund Balance Reserve to be used for City Facilities Improvements (PF0079) - **D JORDAN**

Category: Ordinance

Staff Work By: Daron Jordan, Jonathan Perkins, Michelle Smolen
Presentation By: Daron Jordan

Background Information: With the FY2022 budget, the City Commission appropriated \$200,000 to the '*City Facilities Improvement Project (PF0079)*' set aside for future use for major facility improvements. In order to make such improvements, sufficient funds must be accumulated. Future budgets will likely contain additional annual funding, but may take many years to be of sufficient value to take on major improvement projects. To further enhance the project's available balance, it is recommended that \$600,000 from the Investment Fund be transferred to this project funded with FY2022 Investment Fund reserves. Such a transfer would bring the project's balance to \$800,000.

Does this Agenda Action Item align with a Commission Priority? No

If yes, please list the Commission Priority: CI - Facilities

Communications Plan:

Funds Available: Account Name: Investment Fund to City Improvements Project

Account Number: PF0079

Staff Recommendation: Staff recommends for approval to amend the FY2022 Investment Fund budget by moving \$600,000 from Fund Balance Reserves to the City Improvement project (PF0079).

Attachments:

1. budget amend 2021-22 - April 2022 – City Facilities